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[1](#)B. BRATISLAVA 586

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NEW JUSTICE MINISTER WANTS TO SCRAP SPECIAL COURT

[1](#)1. (SBU) The Justice Ministry, under the auspices of new Justice Minister Stefan Harabin, has prepared draft legislation to close the Special Court and the Special Prosecution Office. Former Justice Minister Daniel Lipsic provided a copy of the draft to the media. According to the draft, both institutions, which were established during Lipsic's tenure to fight organized crime and public corruption, would be shut down in January 2007. Lipsic commented that the dismissal of well-known mafia-fighter Jaroslav Spisiak as Police Vice President and the planned closure of the special crime fighting judicial bodies proves that the new GOS is "mafia-friendly", a phrase that was repeated often by the opposition during the parliamentary debate over the government program statement in the first week of August (ref A). In response to Lipsic's recent press conference, the Justice Ministry said that the draft bill is only one of several possible options and the Ministry has not yet come to a final decision. President Ivan Gasparovic publicly confirmed his support for the closure of the Special Court. His reasoning is that the normal court system can sufficiently handle cases involving judges and public officials. (COMMENT: We note that the two Deputy Justice Ministers recently told us the regular courts were suffering great backlogs, so it's not evident to us how they would be able to pick up the additional corruption cases. END COMMENT.) Prime Minister Robert Fico has not commented on the issue. Eight Slovak civil society NGOs have banded together in an appeal to the GOS to prevent the closing of the two institutions.

[1](#)2. (U) On August 25, the Justice Ministry published an open letter to Lipsic asking him to reimburse the Ministry for SKK 2.49 million (USD 80,000) for a survey that he authorized during his time as Minister. In Minister Harabin's view, the survey was intended to improve Lipsic's communication strategy and public relations not only as Justice Minister but also as a member of KDH (Christian Democratic party). The Justice Ministry will consider legal action against Lipsic if he does not return the money within 30 days.

NATIONAL MEMORY INSTITUTE TO BE HEADED BY A NATIONALIST?

[1](#)3. (U) According to Slovak media, the ruling coalition has agreed that the post of Chairman of the National Memory Institute (UPN), which is dedicated to publishing the secret files of the authoritarian regimes which ruled Slovakia from 1939-1989 (ref B), belongs to the Slovak Nationalist Party

(SNS). The chairmanship has been vacant since the death of the institute's founder Jan Langos in June. SNS unofficially tabled three names, with 70-year-old Arpad Tarnoczy allegedly the leading possibility. Tarnoczy, a former HZDS MP, unveiled a memorial plaque in 1997 to Jozef Kirschbaum, a diplomat of the pro-Nazi Slovak state during WWII and the head of Hlinka guards who were notorious for rounding up Slovak Jews and sending them to concentration camps. According to Jewish Community spokesman Jaro Franek, nominating Tarnoczy as Langos's replacement is a "gross mockery of everything Langos represented and embodied." Deputy Prime Minister Dusan Caplovic denied a political deal on the issue but SNS MP Rafael Rafaj confirmed the candidacy of an SNS nominee. Leading coalition party Smer has not expressed support for Tarnoczy and may yet come up with another candidate. The opposition parties will likely join together to nominate a single candidate. HZDS Chairman Vladimir Meciar opined that UPN has already fulfilled its role and should be subsumed into the Slovak Academy of Sciences. DPM Caplovic, of Smer, publicly disagreed with Meciar's view. The new UPN Chairman must be approved by a simple majority of parliamentary deputies who are in session on the day of the vote, which should be September 7.

TRADE UNIONS ENJOY INCREASED INFLUENCE WITH GOS

14. (SBU) The Confederation of Trade Unions of the Slovak Republic (KOZ) is pleased with their level of influence with the new government. One media commentator even called the trade unions the fourth member of the ruling coalition. In a meeting on August 3, KOZ Vice President Eugen Skultety explained that 80 percent of their agenda had made it into the government program statement. The ruling coalition has promised to revive tripartite talks during labor negotiations, which the previous government had abolished.

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15. (U) Skultety named revision of the Labor Code as KOZ's first priority. They want the law to improve protection of workers, including: prevention of misusing self-employed contractor status to avoid paying benefits for what are essentially regular employees, prevention of re-using a probationary period (which has fewer benefits) for successive short-term contracts for the same employee, and increasing benefits for part-time workers.

16. (SBU) KOZ supports the controversial EU Directive for a maximum 48 hour work week for individuals. Up till now, the GOS has not supported this directive but a British diplomat fears that may change. The UK Minister of Labor may visit Slovakia in the next couple of months to discuss the issue.

17. (SBU) In a meeting with the DCM, the new state secretary at the Ministry of Labor Emilia Krsikova discussed the Labor Code. She made it clear that the Ministry wants to enact significant amendments. Although she did not provide details, Krsikova emphasized that she wanted to strengthen the position of labor unions and contract workers in accordance with the European Social Charter and EU conventions. She defended her government's desire to amend labor laws by saying that Slovakia would not legislate anything that had not already been done in several European countries. We told Krsikova that being different from western Europe was exactly what had won Slovakia badly-needed foreign investment. To make Slovakia like western Europe on labor law issues would diminish the country's attractiveness to investors.

CHANGE OF LEADERSHIP AT POLICE HQ

18. (U) Minister of Interior Robert Kalinak recalled the police president and two vice presidents in early August. Jan Packa, currently the head of the Office for Protection of

Constitutional Officials, will become the new police president, replacing Anton Kulich, who will become an advisor to Kalinak. Michal Kopcik, from the Border and Alien Police branch in Presov, will replace Jaroslav Spisiak as one police vice president. In the other vice president slot, Stanislav Jankovic, currently deputy director of the Bratislava regional police, will replace Jan Nociar, who will become head of personnel at the MOI.

¶9. (SBU) Former Interior Minister Vladimir Palko considers Packa and Jankovic to be good choices, but says there was no reason to replace the renowned mafia-buster Spisiak with a replacement who is too young and inexperienced. Kalinak, on the other hand, praised Kopcik for his strong results in fighting illegal migration in eastern Slovakia. (COMMENT: This could be an attempt to aid Slovakia's entry into the Schengen treaty, which has already slipped by one year to 2008. END COMMENT.) For his part, Spisiak is satisfied that none of the three new designees have ties to organized crime.

¶10. (SBU) According to a contact within the MOI, lower level staff hold differing opinions from the politicians. Among the rank-and-file, the new police vice presidents are well respected whereas the new president is not.

MORMON CHURCH TO TEST 20,000 SUPPORTER LAW

¶11. (SBU) While Slovakia generally respects freedom of religion, it has one of the world's highest thresholds to officially recognize a religious institution. The signatures of 20,000 supporters are required to register with the government, via the Ministry of Culture. However, the actual language used in the law is ambiguous. It could be interpreted as "members" or "supporters". (Note: the closest literal translation is roughly "20,000 people who declare themselves".) According to an American lawyer representing the Church of Jesus Christ of Latter Day Saints, the Mormons have obtained a binding interpretation of the law from the Ministry of Culture which says the 20,000 signatures can be from people who support the registration of the LDS church, i.e., they need not be members or adherents to the faith. While Mormons number approximately 500 in Slovakia, they have started an organized campaign to get the necessary 20,000 signatures. At the moment, they've gathered about 1000 - anecdotally mostly from Catholics. The Mormons intend to increase their signature-gathering efforts in September.

¶12. (SBU) The lawyer for the LDS Church claimed the Ministry of Culture has promised to perform the administrative processing to register the Church if the necessary signatures are obtained. The fact that the Church would refuse

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financial support from the GOS even if registered may help their cause. However, the lawyer worried that SNS, which has a state secretary (deputy minister) at the Ministry of Culture, may try to obstruct the registration. Informal LDS Church branches are located in Bratislava, Trencin, and Zilina, which is SNS Chairman Jan Slota's stronghold. The lawyer explained that LDS members in Zilina feel persecuted by municipal authorities, but was unable to provide recent concrete examples of harassment.

VALLEE